

April 27, 1981

LB 284

PRESIDENT: Debate ceases. Senator DeCamp, you may close.

SENATOR DeCAMP: Mr. President and members of the Legislature, I have found as I am sure many other members of the Legislature have that you seem to run into so much more flak and problems when you try to offer solutions or provide solutions to problems than when you just oppose them, and I have often been tempted to think I should start switching positions in here and just kind of take the position that you just oppose everything, attack and so on and so forth. But I think I will probably keep plodding along trying to offer solutions when I think they make sense, and now I would like to address the main issue that has been raised in opposition to the proposal that a number of us have got here. You have heard it from just about every opponent and you have heard it from the proponents, and it has to do with the issue of constitutionality. I would like to address that in some detail and prior to doing that would like to, so to speak, put myself on the line as I have done about twice before in the eleven years I have been here on an issue of constitutionality, and when I say on the line, I do mean on the line. In the past when I have taken a firm position in here on constitutionality, either pro or con on something, believe it or not, I think if you will check the record and I think Ernie can even verify this, I have been right just about all the time even though as Senator Chambers well knows, a couple of our bills that everybody said were unconstitutional had to go to the U.S. Supreme Court before they were finally certified. Now you are tempted immediately to say, well what about abortion? You sponsored all those abortion bills and the issue of constitutionality. If you will think back and check the record, you will see, for example, when Senator Venditte offered the amendments in the bill, and Senator Bernice remembers this well, I said, look, I think these provisions are going to be unconstitutional and indeed they were. But there was one provision in there that I said, look, I feel so strongly on this, I challenged I think it was Senator Chambers at the time, I said, I will offer to resign from the body if I am wrong if you will do the same. Of course, we never went through with it, but that point was the right of a parent to know that their minor child was involved in some way in having an abortion. And you may know it had to go all the way to the U.S. Supreme Court, our bill...the District Judge said, no, you can't do that, but the U.S. Supreme Court the other